



KISII UNIVERSITY

UNIVERSITY EXAMINATIONS

SECOND YEAR EXAMINATION FOR THE AWARD OF THE

DIPLOMA IN LAW

SECOND SEMESTER, 2021/2022

(FEBRUARY – JUNE, 2022)

DLAW 0227: GENDER AND HUMAN RIGHTS

STREAM: DLAW 2 S2

TIME: 2 HOURS

DAY: THURSDAY, 12:00 – 2:00 P.M.

DATE: 02/06/2022

INSTRUCTIONS

- 1. Do not write anything on this question paper.*
- 2. Answer Question ONE [Compulsory] and any other TWO Questions.*
- 3. Illustrate your answer with relevant cases and statutory provisions where applicable.*

QUESTION ONE

- a) i) Under Section 228 of the Penal Code Cap 63 Laws of Kenya provides that “any person who when a woman is delivered of a child, prevents the child from being born alive by an act or omission, is deemed to have unlawfully killed the child and is guilty of a felony and is liable to life imprisonment.” Discuss **(5marks)**
- b) Juvenile courts are established for the protection and discipline of children and the young persons. Explain the grounds they can be discipline. **(5 marks)**
- c) Explain the people who are allowed to be present in a Juvenile court and several orders that may be made by such courts. **(5 marks)**
- d) Discuss some of the mostly abused prisoners’ rights in prisons today giving all possible solutions towards ensuring that these rights are observed. **(5 marks)**

ii) Explain the Legal defenses available to a Health Service Provider charged under this provision of Act. **(5 marks)**

e) Describe the individual theories used to explain male violence against women partners and ex-partners. **(5 marks)**

QUESTION TWO

a. Evaluate the role of international human rights instruments in the promotion of gender equality **(10 marks)**

b. Discuss the extent to which Kenyan laws have promoted gender equity and equality. **(10 marks)**

QUESTION THREE

a. Explain the meaning and concepts of child rights **(6 marks)**

b. Critically analyze the relationship between gender and the law **(9 marks)**

c. As a Public Health Officer in-charge of a county, you realize that your junior staff are not taking Public Health Officers to a Court of Law for Prosecutions.

Describe at least five (5) reasons which would be the cause. **(5 marks)**

QUESTION FOUR

a. Explain the concept of human rights **(4 marks)**

b. Discuss the features of human rights **(6 marks)**

c. Trace the origin, growth and development of human rights **(10 marks)**

QUESTION FIVE

a. Explain the meaning and concept of Gender **(3 marks)**

b. Kisii University has invited you to give a lecturer on the constitutional advise to the president on the implementation and enforcement of the two third gender rule by the (CJ). Discuss the main points that will constitute your lecturer. **(5 marks)**

c. Discuss gender roles in the society **(8 marks)**

d. Trace the history of women and human rights **(4 marks)**